

Message Text

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TAGS: PFOR, MASS, MARR, TU, US

SUBJECT: TURKISH BASE NEGOTIATIONS: COMMAND AND CONTROL

REF: STATE 001427 DTG 031943Z JAN 76

1. SUMMARY: IN JANUARY 5 WORKING GROUP MEETING BOTH TURKISH AND U.S. TEAMS PRESENTED NEW LANGUAGE ON COMMAND AND CONTROL. WHILE TURKISH TEAM PRELIMINARILY DISMISSED NEW U.S. FORMULATION, CHANGES IN NEW TURKISH TEXT INDICATED MEANINGFUL PROGRESS HAS BEEN MADE ON THIS THORNY ISSUE. END SUMMARY.

2. THE U.S. FORMULATION WAS TABLED IN TWO ARTICLES (V AND VI)

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WITH ARTICLE V CONTAINING FIRST OPTION PROVIDED PARA 1A REFTEL

AND THE SAME PROVISIONS CONCERNING FLAGS AS APPEARED IN LAST U.S. DRAFT. TURKISH TEAM CHIEF ASULA QUIRIED U.S. TEAM REGARDING DELETION OF TERM "CONTROL AND DIRECTION" WHICH APPEARED IN DECEMBER 19 U.S. DRAFT, ARTICLE V2. HE STATED A PREFERENCE FOR USE OF THAT TERM AND INDICATED THAT HIS NEW FORMULATION WAS BASED UPON OUR DECEMBER 19 LANGUAGE. HE LATER INDICATED THAT HE COULD NOT RPT NOT ACCEPT THE NEW U.S. DRAFT.

3. AT THIS POINT ASULA TABLED NEW TURKISH PROPOSAL FOR ARTICLES IV AND V (TURKISH RENUMBERING OF OLD ARTICLES V AND VI WAS DUE, ASULA EXPLAINED, TO ANOTHER REFORMULATION OF TURKISH DRAFT WHICH COMBINES TURKISH ARTICLES III, IV AND VIII5.), TEXT OF WHIC FOLLOWS:

BEGIN TEXT:

ARTICLE IV

1. THE INSTALLATIONS REFERRED TO IN ARTICLE III, PARAGRAPH 1 OF THIS AGREEMENT AND SHOWN IN THE ANNEXES THERETO SHALL BE TURKISH ARMED FORCES' INSTALLATIONS.

THE INSTALLATION COMMANDER SHALL BE TURKISH.

ONLY THE TURKISH FLAG SHALL BE FOWN AT THE INSTALLATIONS.

2. THE ACTIVITIES AND TECHNICAL OPERATIONS OF THE INSTALLATIONS SHALL BE DIRECTED IN ACCORDANCE WITH MUTUALLY WORKED OUT PROGRAMMES CONSISTENT WITH THE PURPOSE OF THE INSTALLATIONS AS APPROVED BY THE GOVERNMENT OF THE REPUBLIC OF TURKEY.

3. FAMILY HOUSING UNITS AND THE RELATED SUPPORT FACILITIES AND SOCIAL WELFARE INSTALLATIONS SHALL BE SEPARATED, TO THE EXTENT POSSIBLE, FROM THE AREAS WHERE TECHNICAL OPERATIONS OF THE INSTALLATIONS ARE BEING CARRIED OUT, AND SHALL NOT BE CONSIDERED AS PART OF THE INSTALLATIONS.

ARTICLE V

1. THE INSTALLATION COMMANDER SHALL BE RESPONSIBLE FOR:

- THE SUPERVISION OF THE TECHNICAL OPERATIONS AND ACTIVITIES OF THE INSTALLATIONS WHICH SHALL BE CARRIED OUT IN ACCORDANCE WITH THE PRINCIPLES MENTIONED IN ARTICLE IV, PARAGRAPH 2 OF THIS AGREEMENT.
- THE FULL SECURITY AND ADMINISTRATION OF THE INSTALLATIONS.
- THE MAINTAINING OF LAW AND ORDER AT THE INSTALLATIONS.
- THE FULL COMMAND AND SUPPORT REQUIREMENTS OF THE TURKISH PERSONNEL AT THE INSTALLATIONS, WITH THE EXCEPTION OF THOSE TURKISH CIVILIAN PERSONNEL IN THE EMPLOY OF THE UNITED STATES GOVERNMENT.

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- THE RELATIONSHIP WITH LOCAL TURKISH AUTHORITIES.
2. THE GOVERNMENT OF THE UNITED STATES OF AMERICA WILL ASSIGN AT EACH INSTALLATION A UNITED STATES DETACHMENT COMMANDER AS THE UNITED STATES SENIOR OFFICER" TO FUNCTION AS THE SINGLE POINT OF CONTACT WITH THE INSTALLATION COMMANDER. THE UNITED STATES FLAG MAY BE FLOWN AT THE OFFICE BUILDING OF THE NITED STATES SENIOR OFFICER. THE UNITED STATES SENIOR OFFICER SHALL BE RESPONSIBLE FOR THE

DIRECTION AND CONTROL OF THE UNITED STATES NATIONAL ELEMENT, THE MANAGEMENT OF THE PREMISES EXCLUSIVELY UTILIZED BY SUCH ELEMENT, AND THE SUPPORT, HEALTH AND SOCIAL WELFARE FACILITIES AT THE INSTALLATIONS.

3. IN THE EXERCISE OF HIS AUTHORITY, THE INSTALLATION COMMANDER SHALL ISSUE APPROPRIATE DIRECTIVES TO BE RESPECTED BY BOTH NATIONAL ELEMENTS AT THE INSTALLATIONS.

4. THE WORKING RELATIONSHIP AND PROCEDURES FOR CONSULTATION BETWEEN THE INSTALLATION COMMANDER AND THE UNITED STATES SENIOR OFFICER SHALL BE FURTHER DETAILED IN THE RELATED ANNEXES TO THIS AGREEMENT, TAKING INTO ACCOUNT THE PARTICULARITIES OF EACH INSTALLATION. END TEXT

4. IN PRESENTING ARTICLE IV ASULA STRESSED EFFORTS HE HAD MADE TO MEET U.S. OBJECTS.

A. HE POINTED OUT THAT, ALTHOUGH PARA 1 PROVIDES THAT ONLY THE TURKISH FLAG SHALL FLY AT THE INSTALLATIONS, U.S. CONCERNS WILL BE ACCOMMODATED IN PARA 2 OF ARTICLE V, WHICH WILL PERMIT THE U.S. FLAG TO BE FLOWN OUTSIDE OF THE U.S. DETACHMENT HEADQUARTER. (COMMENT: WHILE THE TWO PROVISIONS SEEM INCOMPATIBLE TO US, TURKS HAVE IN PST MET THEIR "POLITICAL NEEDS" IN THIS MANNER. THIS FORMULA MAY BE PREFERABLE TO DROPPING ALL REFERENCE TO FLAGS. WASHINGTON'S COMMENTS ARE REQUESTED.)

B. THE DISCUSSION OF PARA 2 CENTERED AROUND TURKISH USE OF WORD "DIRECTED" VIS-A-VIS "CONDUCTED" WHICH APPEARS IN LATEST U.S. ARTICLE V2. WITH THIS EXCEPTION, AND OUR USE OF PHRASE "PROCEDURES AND" BEFORE "PROGRAMS" THE TWO TEXTS ARE THE SAME. DURING BREAK ASULA TOLD U.S. TEAM CHAIRMAN PRIVATELY THAT BOTH WORDS "DIRECTED" AND "CONDUCTED" MIGHT IN END BE BRACKETED AND CHOICE BETWEEN THEM MADE AT MINISTERIAL LEVELS.

C. WITH REGARD TO PARA 3 IT SHOULD BE NOTED THAT TURKISH
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SIDE HAS ACCEPTED INCLUSION OF "TO THE EXTENT POSSIBLE, WHICH WE DESIRE AS SAFEGUARD AGAINST REQUIRING THE U.S. PHYSICALLY TO RELOCATE HOUSING, SOCIAL AND SUPPORT FACILITIES. U.S. TEAM EXPRESSED CONCERN, HOWEVER, OVER THE REINTRODUCTION OF THE CONCEPT THAT SUCH FACILITIES WILL NOT RPT NOT BE A PART OF THE INSTALLATION. U.S. TEAM POINTED OUT THAT THESE AREAS ARE DEPENDENT UPON INSTALLATIONS FOR UTILITIES, MAINTENANCE AND OTHER SUPPORT. U.S. TEAM ALSO WARNED THAT IT COULD NOT ACCEPT LANGUAGE THAT WOULD SUGGEST, AS IN EARLIER TURKISH DRAFT, THAT HOUSING AREAS WOULD BE PLACED UNDER LOCAL TURKISH AUTHORITY. ASULA THEN AGREED TO TAKE THE LAST CLAUSE OF THE PARAGRAPH INTO BRACKETS.

D. COMMENT: WITH MINOR CHANGES, WE BELIEVE THAT THE

TURKISH ARTICLE IV CAN BE MADE ACCEPTABLE TO U.S. WASHINGTON COMMENTS WOULD BE APPRECIATED.

5. THE PRELIMINARY DISCUSSIONS OF ARTICLE V RESULTED IN SOME REWRITING AT THE TABLE.

A. THE U.S. TEAM AGAIN OBJECTED TO THE USE OF TERMS "FULL SECURITY" AND "LAW AND ORDER" IN PARAGRAPH 1. ASULA AGREED TO TAKE "FULL" INTO BRACKETS BUT REMAINED FIRM ON "LAW AND ORDER," SAYING "GOOD ORDER" AS CONTAINED IN U.S. TEXT WAS NOT TRANSLATABLE INTO TURKISH, NOR WAS IT AN ACCEPTED CONCEPT IN CONTINENTAL LAW. HE FURTHER OBSERVED THAT THE FACT THAT THE SENIOR OFFICER FUNCTIONED AS THE SINGLE POINT OF CONTACT WITH THE INSTALLATION COMMANDER SHOULD OPERATE TO REMOVE ANY U.S. CONCERN OVER USE OF TERM "LAW AND ORDER."

B. IN DISCUSSING THE SECOND SUBPARAGRAPH OF 2, U.S. TEAM NOTED THAT "EQUIPMENT" WAS NOT INCLUDED WITHIN THE ITEMIZATION OF THE SENIOR OFFICER'S RESPONSIBILITIES. ASULA ANSWERED THAT IN THEIR VIEW EQUIPMENT WAS A PART OF THE "U.S. NATIONAL ELEMENT." FURTHER OBSERVATIONS BY THE U.S. TEAM LED TO A TURKISH REWRITE OF THE SUBPARAGRAPH AT THE TABLE SUBSTANTIALLY AS FOLLOWS: BEGIN TEXT: THE U.S. SENIOR OFFICER SHALL BE RESPONSIBLE FOR THE DIRECTION AND CONTROL OF THE U.S. NATIONAL ELEMENT, FOR ITS SUPPORT,
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HEALTH AND SOCIAL WELFARE FACILITIES; AND FOR THE MANAGEMENT OF THE PREMISES EXCLUSIVELY UTILIZED BY THE US NATIONAL ELEMENT AT THE INSTALLATIONS. END TEXT. ALTHOUGH THIS WORDING IS SOMEWHAT AWKWARD, WE WOULD APPRECIATE WASHINGTON COMMENTS ON THIS OR SIMILAR LANGUAGE.

C. WITH REGARD TO PARA 3, BOTH SIDES REPEATED ARGUMENTS CONCERNING USE OF "DIRECTIVE" AS OPPOSED TO "GUIDELINES" AS APPEARS IN LATEST U.S. DRAFT OF ARTICLE VI 3. ASULA PRIVATELY SUGGESTED TO GARDNER THAT CHOICE BETWEEN THOSE TWO WORDS MIGHT ALSO BE LEFT EVENTUALLY TO HIGHER AUTHORITY.

D. WHEN QUERIED, ASULA AFFIRMED THAT TERM SUPERVISION AND ITS TURKISH EQUIVALENT DID NOT RPT NOT IMPLY "COMMAND AND CONTROL." HE DESCRIBED THIS CHANGE AS MAJOR EFFORT TO MEET U.S. CONCERN IN THIS REGARD. COMMENT: NEW TURKISH ARTICLE VI REPRESENTS A MAJOR CONCESSION IN LANGUAGE DELINEATING RESPONSIBILITY OF THE TURKISH COMMANDER FROM "CONTROL AND DIRECTION" TO "SUPERVISION" OF TECHNICAL OPERATIONS AND ACTIVITIES. THE WORD "SUPERVISION" STILL RETAINS UNDESIRABLE SUGGESTION OF TURKISH MANAGEMENT OF U.S. ACTIVITIES, EVEN THOUGH SUCH SUPERVISION APPEARS TO

BE ACCEPTABLY RESTRICTED AND DELINEATED ELSEWHERE IN THE AGREEMENT. IF "SUPERVISION" IS UNACCEPTABLE TO WASHINGTON, WE PROPOSE FOR WASHINGTON CONSIDERATION SUBSTITUTION OF THE WORD "OVERSIGHT" WHICH ALTHOUGH TRANSLATING IDENTICALLY INTO TURKISH HAS IN ENGLISH THE PRIMARY CONNOTATION OF "WATCHFUL CARE" RATHER THAN MANAGEMENT.
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